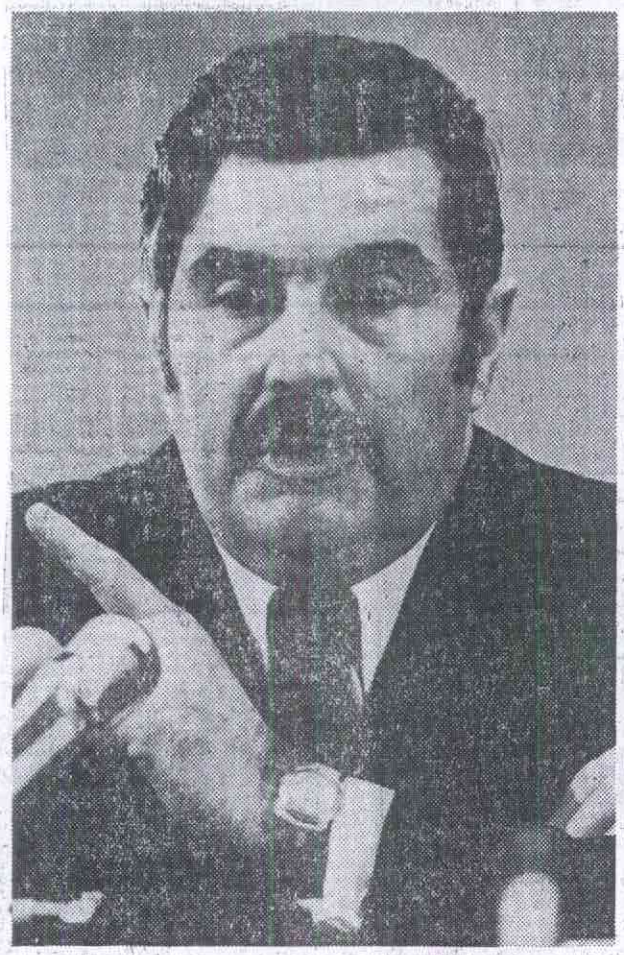

Associated Press

FBI agent James P. Hosty, left, testifies before a House Judiciary subcommittee.

Destroyed Oswald's Note, Agent Says

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United Press International

An FBI agent testified yesterday that he flushed a threatening note from Lee Harvey Oswald down a toilet the day Oswald was shot because his boss told him to "get rid of this."

Agent James P. Hosty contradicted the testimony of his former Dallas FBI superior, J. Gordon Shanklin, who told a House Judiciary subcommittee Thursday that he never heard of the missing Oswald note until this year.

Hosty, now with the FBI's Kansas City office, told the same subcommittee Shanklin ordered the Oswald note and related material destroyed and that, further, every agent involved in investigating Oswald then has since been either demoted, censured, transferred or barred from promotion.

He said he believed this apparent cover-up of the FBI's handling of the Oswald matter may have gone as high as the late Clyde Tolson, who was then FBI director J. Edgar Hoover's chief assistant.

According to testimony gathered by the subcommittee, Oswald visited the Dallas FBI office in an agitated state a few weeks before he assassinated John F. Kennedy and left a note threatening some sort of retaliation if agents did not stop investigating him. Oswald had been a defector to the Soviet Union.

FBI critics claim the alleged destruction of this note is proof that the bureau withheld vital background information on Oswald from the Warren Commission, which concluded that Oswald alone assassinated Kennedy on Nov. 22, 1963.

Two hours after Jack Ruby killed Oswald on Nov. 24, 1963, Hosty said, an agitated Shanklin pulled the note and a three-page cover memo Hosty had written from a desk drawer and handed them to him.

"Oswald is dead now, there can be no trial," Hosty quoted Shanklin as saying.

"Here, get rid of this."

Hosty said he began to tear the note up, and Shanklin shouted: "No, get it out of here. I don't even want it in here."

Hosty said he then flushed the material down a toilet.

Althtough previous witnesses have said Oswald's note threatened to blow up the Dallas Police Department and the FBI office, Hosty said it merely threatened to take "action" against Hosty. He said he assumed that to mean legal action.

Two days after Oswald's death, Hosty said, Shanklin also ordered him to destroy another letter Oswald had drafted to a Soviet embassy. "I thought I told you to get rid of that," he quoted Shanklin as saying. "Get rid of it!"

Hosty said Shanklin appeared confused and on the verge of a nervous breakdown, so he disobeyed the order and sent that Oswald letter to the Warren Commission.

Subsequently, Hosty said, papers in his FBI personnel file have been falsified to make it appear he had admitted failures in the Oswald investigation in answers to an internal FBI questionnaire.

In addition, he said, his superior in Kansas City told him that Tolson had blocked a recommended promotion for Hosty.